

Council Work Session
April 13, 2006

The Burleson City Council met in a work session on April 13, 2006, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 6:02 P.M., the following members present: Ken Shetter, Stuart Gillaspie, Jim Bailey, Matt Powell, Claudia Humphreys, Jerry Allen and Chip Stephens.

City Manager, Curtis E. Hawk; Deputy City Manager, Paul Cain; and other interested citizens were also present.

City Secretary Mary J. Kayser and Director of Information Technology, Mark Eder presented information on the paperless agenda process and the technology updates for the Council Chambers

Hal Bennick with LenSec gave a presentation on their video camera products.

Deputy City Manager, Paul Cain gave an overview of the 380 Agreement between the City of Burleson and Burleson Commons. No action was taken.

Council took a recess at 6:57 PM

Proclamations – Earth Day

Council Session
April 13, 2006

The Burleson City Council met in a regular session on April 13, 2006, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 7:11 P.M., the following members present: Ken Shetter, Stuart Gillaspie, Jim Bailey, Matt Powell, Claudia Humphreys, Jerry Allen and Chip Stephens

City Manager, Curtis E. Hawk; Deputy City Manager, Paul Cain; City Attorney, Allen Taylor and other interested citizens were also present.

Motion was made by Chip Stephens and second by Jerry Allen to approve minutes from the March 23, 2006 regular session of the City Council.

Motion passed 5-0. Stuart Gillaspie and Matt Powell abstained.

Motion was made by Chip Stephens and second by Jerry Allen to

approve the following purchase requisitions and payments: General Fund - purchase requisitions: 1) \$ 28,160.67 – Tri-Tech Construction, Inc., 2) \$ 12,910.25 – Insite Amenities LP, 3) \$ 12,191.00 – City of Cleburne, 4) \$ 7,680.00 – Huguley Assessment Center, 5) \$6,480.95 – Metro-Tex Electric, Inc. General Fund – payments: 1) \$ 3,500.00 – City of Irving. Public Safety General fund - purchase requisitions: 1) \$ 1,920.00 – Metro Truck Sales. Park Development Fund - purchase requisitions: 1) \$ 4,320.00 – Ratcliff Ready Mix. 2003 Water Sewer Revenue Bond Fund - purchase requisitions: 1) \$ 5,012.00 – Hanson Pipe & Products, Inc. Water and Wastewater Fund - purchase requisitions: 1) \$ 4,335.00 – Wallace Control and Electric, Inc. Hotel Motel Fund - purchase requisitions: 1) \$ 11,500.00 – A-1 Lighting and Sound. 2005 General Obligation Bond Fund/General Fund - purchase requisitions: 1) \$ 10,780.00 – HTE Inc. 2003 Water Sewer Revenue Bond Fund PH3 - purchase requisitions: 1) \$ 7,258.75 – Insituform Technologies. 2005 General Obligation Bond Fund – payments: 1) \$15,108.00 – HTE, Inc. General Fund/2001 Sales Tax Revenue Bond Fund – payments: 1) \$ 24,936.11 - Taylor, Olson, Adkins, Sralla & Elam, LLP. General Fund/Water and Wastewater Fund/Hidden Creek Golf Course Fund/Hotel Motel Fund – payments: 1) \$ 4,404.41 – Lowe’s Home Centers, Inc. General Fund/Water and Wastewater Fund – payments: 1) \$ 7,500 – Deloitte & Touche. General Fund/2005 Certificates of Obligation Hidden Creek Parkway/2002 Water Sewer Revenue Bond Fund – payments: 1) \$ 18,105.00 - Ellerbee Walczak, Inc.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve the final reading of Ordinance B-748-06, amending Article II of Burleson’s Municipal Utilities and Service Code. (Industrial Waste Ordinance).

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve the final reading of Ordinance B-750-06, prohibiting owner, employee, manager / supervisor of a retail fuel business from activating a pumping device or allowing a person to dispense gasoline or diesel fuel without receiving pre-payment.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve the final reading of Ordinance D-066-06, request for rezoning from A Agricultural district to SFE Single Family Estate district on 2.90

acres located on the north side of Fox Lane, north of East Renfro Street. (Case 06-022).

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve the final reading of Ordinance D-067-06, request for rezoning from A Agricultural district to PD Planned Development district for 39.71 acres located north of County Road 714 and west Dobson Street. (Case 05-170)

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve the final reading of Ordinance B-749-06, Animal Care and Control Ordinance

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve changes to Animal Control Fees on FY 2005-06 Fee Schedule.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve the first reading of Ordinance C-594-06, adopting the official map of the City of Burleson, declaring said map to be the official boundaries of the corporate limits of the city and its extraterritorial jurisdiction as of the date of adoption.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve Resolution 1046-06, providing for regular license plates on certain police department vehicles and authorizing the Purchasing Agent or the City Secretary to make application for same, as required by V.T.C.A. Transportation Code § 721.005 (a)(1).

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to authorize the Mayor to enter into a Joint Election Agreement between the City of Burleson and the Burleson Independent School District for the conduct of the May 13, 2006, general election.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve Resolution 1047-06 appointing the election judges for the May 13, 2006, general election and adopting an accessible voting system.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to ratify Sue Carey as the Vice-Chair of the Planning and Zoning Commission.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to award ITB 2006-025 Cab and Chassis with Boom Body to Masters International Trucks in the amount of \$55,250.00 and to Ace Hydraulic Boom in the amount of \$36,000.00.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to award ITB 2006-026 $\frac{3}{4}$ Ton truck with Utility Bed to Metro Ford Truck Sales in the amount of \$19,458.00 (Ford 250); and \$6,585 for a RKI utility bed and extended warranty.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to award the bid for concrete repair & installation to Reliable Paving, Inc.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve a Preliminary Plat Lot 1, Block 1, Victory Family Church Addition, 10.2 acres located southwest of John Jones Drive (FM 731), northwest of Hillside Drive. (Case 06-007)

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve a Preliminary Plat Lots 1-11, Block 16 Meadow Crest Estates Section 9, 7.752 acres located northeast of John Jones Drive (FM 731), southeast of Alsbury Boulevard. (Case 06-024)

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve a Preliminary Plat Lots 1-11, Block 1 Devonshire Phase II, 25.897 acres located east of County Road 808, south of FM 917. (Case 05-167)

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve a Preliminary Plat of Valley View Estates, 39.71 acres located north of County Road 714 and west of Dobson Street (Case 05-169)

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve an Economic Development Incentive (380) Agreement with Burleson Commons, L.P. for the Burleson Commons Retail Development and Authorizing the City Manager to Execute the Agreement.

Motion passed 6-0. Chip Stephens abstained.

Council accepted the Monthly Financial Report, February 2006

David Wynn, Director of Engineering, gave an update on Hidden Creek Parkway.

Clayton Husband, Director of Planning and Community Development gave an update on building permit statistics.

Captain Doug Sandifer gave an update on the department's accreditation process and the Shattered Dreams program at the High School.

Beth Perry, Library Director gave an update on Burleson Reads.

David White, Director of Golf gave an update on the Hidden Creek Golf Course Spring Kick-off.

The Mayor opened a public hearing regarding natural gas rates charged by Atmos Energy Corp within the City of Burleson.

There being no speakers the Mayor closed the public hearing.

Motion was made by Claudia Humphreys and second by Matt Powell to approve the first reading of Ordinance C-595-06, finding that the existing natural gas distribution rates of Atmos Mid-Tex should be reduced, and ordering Atmos Energy Corp., Mid-Tex Division, to reduce its existing rates within the city.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Jerry Allen to approve the final reading of Ordinance C-596-06 authorizing the issuance of City of Burleson, Texas waterworks and sewer system revenue refunding bonds, series 2006 and ordaining other matters related thereto.

Motion passed 7-0.

Motion was made by Jim Bailey and second by Matt Powell to approve Resolution 1048-06, authorizing the execution of the Gas Standing Steering Committee participation agreement, and the participation fee of \$0.05 per capita and authorizing the City Manager to sign the agreement.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve Resolution 1049-06 supporting improvements to the Tarrant County transportation infrastructure, and encouraging citizens of Burleson who reside in Tarrant County to participate in the May 2006 Tarrant County Bond election.

Motion passed 7-0.

Motion was made by Claudia Humphreys and second by Jerry Allen to authorize City Manager to execute the agreement with CitiCapital for Financing of Wireless Network Construction contingent upon (1) the agreement including the terms and conditions as follows: a) all proceeds from the lease must be kept in an escrow account in the "Trust" section of the chosen bank to insure the funds are adequately collateralized. Funds will be drawn from the escrow account to pay ChevronES/Redmoon; b) throughout the agreement, the purpose of the funds and the use and maintenance of the equipment must permit the arrangement agreed to by the City, Redmoon, and ChevernES; c) throughout the agreement, "non-taxable" should be replaced by "taxable" when referring to the bonds, lease, etc. the IRS requires this

financing be taxable and 2) the City Attorney's approval of the lease agreement.

Motion passed 7-0.

Motion was made by Jerry Allen and second by Chip Stephens to approval an Advance Funding Agreement for the installation of a traffic signal at the intersection of SH 174 and Lakewood Drive, authorization for the City Manager to execute the Advance Funding Agreement, and authorizing payment of \$144,300 to the Texas Department of Transportation.

Motion passed 7-0.

Motion was made by Matt Powell and second by Chip Stephens to approve an Inspection Services Contract with Steel Inspectors of Texas for specialized construction inspection of the 0.75 MG Elevated Storage Tank in the amount of \$6,500.00 and authorizing the City Manager to sign.

Motion passed 7-0.

Motion was made by Claudia Humphreys and second by Jerry Allen to approve an amendment to the agreement with Prime Strategies, Inc. for Planning & Economic Development Services for additional services related to the transit oriented development plan and zoning ordinance in the amount of \$12,500.00 and authorize the City Manager to execute the amendment.

Motion passed 7-0.

Motion was made by Matt Powell and second by Chip Stephens to approve a Library Services contract between Hill College and the City of Burleson and authorize the Mayor to sign.

Motion passed 7-0.

Motion was made by Claudia Humphreys and second by Stuart Gillaspie to approve an Interlocal Agreement for Purchase of Library Services from the City of Fort Worth/Fort Worth Public Library and authorize the City Manager to sign.

Motion passed 7-0.

Motion was made by Jim Bailey and second by Claudia Humphreys to authorize the reimbursement of \$78,750.80 to Arbors Development

LLC for the oversize participation in the construction of a water line within Elkridge Estates, Phase 3 subdivision.

Motion passed 7-0.

Motion was made by Jim Bailey and second by Stuart Gillaspie to award the City depository contract to Texas/Compass Bank.

Motion passed 7-0.

Motion was made by Jerry Allen and second by Chip Stephens to convene into executive session pursuant to Sec. 551.071 of the Texas Government Code, pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease or sale of real property for future expansion of certain programs and services, pursuant to Sec. 551.076, deliberation regarding security devices, pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations, pursuant to Section 418.183(f) of the Texas Government Code (Texas Disaster Act) regarding critical infrastructure.

Motion passed 7-0. Time 8:43 PM

Motion was made by Stuart Gillaspie and second by Jerry Allen to reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

Motion passed 7-0. Time 9:05 PM

There being no further business, the Mayor declared the meeting adjourned. Time 9:05 PM.

Mary J. Kayser
City Secretary